Response to Official Action Application No. 09/533,088 Page 2

The Examiner has required restriction to one of three groups of claims.

Applicant hereby elects Group I (Claims 1-8, 33-37 and 54-58) at this time and reserves the right to file divisional applications directed to Groups II and III.

Respectfully submitted,

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add M. alle

Todd M. Oberdick, Reg. No. 44,268

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Application/Control Number: 09/533,088

Art Unit: 3624

## **DETAILED ACTION**

 Claims 1-58 are pending in this communication filed 04/26/04 entered as Response After Non-Final Rejection.

2. The Applicant is respectfully requested to note the Examiner prosecuting this application has changed. All future correspondence should be addressed to Examiner Colbert, Art Unit 3624.

## Election/Restrictions

- 3. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims1-8, 33-37, and 54-58, drawn to customer and trade rules database, classified in class 705, subclass 7.
  - II. Claims 9-19 and 38-44, drawn to determining the quantity of a financial / tudy instrument, classified in class 705, subclass 36.
  - III. Claims 20-32 and 45-53, drawn to buying and selling a financial custome to instrument, classified in class 705, subclass 37.
- 4. Inventions I, II, and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a customer and trade rules database, and a set of customer and trade risk assessment rules. Group II has separate utility such as the formation of a team, determining the quantity of a financial instrument, obtaining a financial instrument from the team members, purchasing in a single trade quantity of a financial instrument,

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charging a team member's account, crediting each team member's account. Group III has separate utility such as receiving an indication from a seller the desire to sell a financial instrument, notifying the buyer and seller of a proposed trade, determining a fair market value of the financial instrument, and receiving a buyer trade ticket from the buyer and a seller trade ticket from the seller, and determining if the terms of the buyer trade ticket match the terms of the seller trade ticket, and executing the trade if the terms are fair. See MPEP § 806.05(d).

- 5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 6. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Groups II and III, the search for Group II id not required for Groups I and III, and the search for Group III is not required for Groups I and II, restriction for examination purposes as indicated is proper.
- 7. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.
- 8. Applicant is advised that the reply to this requirement to be completed must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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Art Unit: 3624

## Inquiries

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 703-308-7064. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

E. Colbert

| Unit  | TED STATES PATENT | AND TRADEMARIE OFFICE                                    | UNITED STATES DEPAR<br>United States Patent and Address: COMMISSIONER F<br>P.O. Box 1450<br>Alexandria, Virginia 223<br>www.uspto.gov | Frademark Office<br>OR PATENTS |
|---|-------------------|--|---|--------------------------------|
| APPLICATION NO.   | FILING DATE       | FIR NAMED INVENTOR                                       | ATTORNEY DOCKET-NO.   | CONFIRMATION NO.               |
| 09/533,088  | 03/22/2000        | Mire PAPE  | 03284-P0001B  | 8149                           |
| 7590 07/19/2004 Wesley W Whitmyer Jr. St Onge Steward Johnston & Reens LLo 986 Bedford Street |                   | RECEIVED St. Onge Steward Johnston & Reens  JUL 2 1 2004 | EXAMINER COLBERT, ELLA  |                                |
|   |                   |  |   | PAPER NUMBER                   |
| Stamford, CT  | 06905-5619        | JUL 2 1 2004  FILE 8-19-04- Destron  OKT 1-19-05- " (6m  | DATE MAILED: 07/19/200  | 4                              |
|   |                   |  | 6   |                                |

Please find below and/or attached an Office communication concerning this application or proceeding.

| A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Eardinates of them may be evaluable under the prostions of 37 CFR 1.136(a). In no event, however, may a reply be timely filled by the pend for reply separated above, the machine translation year of the pend for reply separated above, the machine translation year of the pend for reply separated above, the machine translation year of the pend for reply separated above, the machine translation year of the pend for reply separated above, the machine translation year of the pend for reply separated above, the machine translation year of the pend for reply separated above, the machine translation of the pend for reply separated above, the machine translation of the pend for reply separated by the folias of the separated plants of the pend for reply separated by the folias of the separated plants of the pend for reply separated by the folias of the separated plants of the pend for reply separated by the folias of the separated plants of the pend for reply separated by the folias of the separated plants of the sep | PE ACTO  | _  |   |                        |
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| ## Committee   Art Unit   3824   382  | \(\sigma\)   | Application No.  | Applicant(s)  |                        |
| ## Committee   Section     | MIE 0 9 2004   | 09/533,088   |   | 7                      |
| Period for Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extendence for term may be varied used the provision of 37 CFR 1.130(s). In no event, however, may a reply be timely filed that SIX (b) for may be specified above it less bean futiny (00) days, a reply within the statulatory minimum of theiry (00) days, a reply within the statulatory minimum of theiry (00) days, a reply within the statulatory minimum of theiry (00) days, and with the statulatory minimum of theiry (00) days, and with the statulatory minimum of theiry (00) days, and with the statulatory minimum of theiry (00) days, and with the statulatory minimum of theiry (00) days, and with the statulatory minimum of theiry (00) days, and with the statulatory minimum of theiry (00) days, with the condition of their statulation of their statulation of the statulatory minimum of theiry (00) days, and the statulator minimum of their (00) days and the statulatory minimum of their (00) days and the statulator of their statulator minimum of their (00) days will be condition.  Fallow to reply specified above it sees than fully (00) days, and you will be condition.  Fallow to reply specified above it sees than fully (00) days, and you will be condition.  Fallow to reply specified above it sees than fully (00) days and will day the statulation of the days and statulation of the statulation of   | Office Action Summary  | Examiner   | Art Unit  | 114.                   |
| A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  IF MEMBERS AND MONTHS from the mailing date of this communication.  If the period reply specified above, the mostlems statutory priore will show the statutory minimum of thiny (30) days will be considered fromly.  If NO period for reply is pecified above, the mostlems statutory priore will show the statutory minimum of thiny (30) days will be considered fromly.  If NO period for reply is pecified above, the mostlems statutory priore will show the statutory minimum of thiny (30) days will be considered fromly.  If NO period for reply is pecified above, the mostlems statutory priore will show the statutory minimum of thiny (30) days will be considered fromly.  If NO period for reply is pecified above, the mostlems statutory priore will show the statutory minimum of thiny (30) days will be considered fromly.  If NO period for reply is pecified above, the mostlems statutory priore will show the statutory minimum of thiny (30) days will be considered fromly.  If NO period for reply is pecified above, the mostlems are the mailing date of the communication.  And reply received by the Office diet than three monsions after the mailing date of the communication.  And reply received by the Office diet than three monsions after the mailing date of the communication.  And reply received by the Office date than three monsions after the mailing date of the communication.  And reply received by the Office date of the period will apply and will statute the statute of the provision of the mail and the statute of the period will apply and will statute the statute of the period will apply and will statute the statute of the provision of the period will apply and will statute the statute of the provision of the period will apply and will statute the statute of the period will apply and will statute the statute of the period will apply and will apply be period will apply and will apply be period will apply and will apply  |  |  | 1   | IMU                    |
| THE MAILING DATE OF THIS COMMUNICATION.  Estensions of time may be available under the provision of 37 CPR 1.136(s). In no event, however, may a reply be timely fixed and six (s) MONTHS from the relating date of this communication. The provision of the provisio | Period for Reply   |  | •   | aaress                 |
| 1) Responsive to communication(s) filed on 26 April 2004. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims 4) Claim(s) 1-58 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) 1-58 are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) excepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(e) 1) Notice of References Cited (PTO-892) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SBIOB) 5) Notice of Informal Patent Application (PTO-152)   | <ul> <li>THE MAILING DATE OF THIS COMMUNICATION.</li> <li>Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication.</li> <li>If the period for reply specified above is less than thirty (30) days, a replif NO period for reply is specified above, the maximum statutory period Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing</li> </ul> | 136(a). In no event, however, may within the statutory minimum o will apply and will expire SIX (6) e. cause the application to become | ly a reply be timely filed  f thirty (30) days will be considered tim  MONTHS from the mailing date of this le ABANDONED (35 U.S.C. § 133). | ely.<br>communication. |
| 2a)  This action is FINAL. 2b)  This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1-58 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 6)  Claim(s) is/are allowed. 6)  Claim(s) is/are objected to. 8)  Claim(s) is/are objected to. 8)  Claim(s) is/are objected to by the Examiner. 10)  The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers  9)  The specification is objected to by the Examiner. 10)  The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)  All b)  Some * c) None of: 1.  Certified copies of the priority documents have been received. 2.  Certified copies of the priority documents have been received in Application No 3  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.  Attachment(s) 1)  Notice of Draftsperson's Patent Drawing Review (PTO-948) 3)  Information Discosure Statement(s) (PTO-149 or PTO/SB/08)  | Status   |  |   |                        |
| closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)   | 2a) This action is <b>FINAL</b> 2b) This   | s action is non-final.   | natters, prosecution as to ti   | ne merits is           |
| 4)   |  |  |   |                        |
| 4a) Of the above claim(s) is/are withdrawn from consideration.  5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are rejected. 7) □ Claim(s) is/are rejected to. 8) □ Claim(s) is/are objected to . 8) □ Claim(s) is/are objected to restriction and/or election requirement.  Application Papers  9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of:  1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) □ Notice of Patersperson's Patent Drawing Review (PTO-948) 3) □ Information Disclosure Statement(s) (PTO-1449 or PTO/S8/08)   | Disposition of Claims  |  |   |                        |
| 6)  Claim(s) is/are rejected. 7)  Claim(s) is/are objected to. 8)  Claim(s) is/are objected to. 8)  Claim(s) is/are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner. 10)  The drawing(s) filed on is/are: a)  accepted or b)  objected to by the Examiner.     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).     a)  All b)  Some * c)  None of:     1.  Certified copies of the priority documents have been received. 2.  Certified copies of the priority documents have been received in Application No 3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s) 1)  Notice of Draftsperson's Patent Drawing Review (PTO-948) 3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5)  Notice of Informal Patent Application (PTO-152)  | 4) Claim(s) 1-58 is/are pending in the application 4a) Of the above claim(s) is/are withdra  |  | . •   |                        |
| Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)   | 6) Claim(s) is/are rejected.   |  |   |                        |
| 9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1 Certified copies of the priority documents have been received.  2 Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  | 8) Claim(s) <u>1-58</u> are subject to restriction and/or  | election requirement.  |   |                        |
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| a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)   | Priority under 35 U.S.C. § 119   |  |   |                        |
| 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date.  5) Notice of Informal Patent Application (PTO-152)   | 12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of:  1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority application from the International Burea   | nts have been received<br>nts have been received<br>prity documents have b<br>au (PCT Rule 17.2(a)).                                   | in Application No een received in this Nation   | al Stage               |
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|  | <ul> <li>2) Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08</li> </ul>   | Pape<br>3) 5) Notic  | r No(s)/Mail Date<br>e of Informal Patent Application (I  | РТО-152)               |